



NORFOLK

Office of the City Attorney

BERNARD A. PISHKO
City Attorney
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February 4, 2016

To the Honorable Council
City of Norfolk, Virginia

Re: Ordinance to Amend Norfolk City Code Sections 24-160, 25-219, 42-34, and 42-35

Dear Ladies and Gentlemen:

R-4

Currently City Code Sections 24-160, 25-219, 42-34, and 42-35 use the words "church", "churches" and "Sunday school". Virginia Wesleyan College has asked that those words be changed to "religious education", "religious institution" and "religious institutions" as appropriate. The attached ordinance accomplishes their request.

There is also a typographical error in 42-34. The word "show" should be "snow."

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Bernard A. Pishko".

Bernard A. Pishko
City Attorney

Recommendation: Adopt Ordinance

Form and Correctness Approved:

By

Office of the City Attorney

Contents Approved:

By

DEPT.

NORFOLK, VIRGINIA

ORDINANCE No.

AN ORDINANCE TO AMEND AND REORDAIN SUBSECTION (f) OF SECTIONS 24-160, SECTION 25-219, SECTION 42-34, AND SUBSECTION (a) OF SECTION 42-35 OF THE CODE OF THE CITY OF NORFOLK, 1979, SO AS TO REPLACE THE WORDS SUNDAY SCHOOL, CHURCH AND CHURCHES WITH THE WORDS RELIGIOUS EDUCATION, RELIGIOUS INSTITUTION AND RELIGIOUS INSTITUTIONS AND SO AS TO CORRECT THE TYPOGRAPHICAL ERROR IN SECTION 42-34 BY REPLACING THE WORD SHOW WITH THE WORD SNOW.

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BE IT ORDAINED by the Council of the City of Norfolk:

Section 1:- That Subsection (f) of Section 24-160 of the Code of the City of Norfolk, 1979, is hereby amended and reordained to read as follows:

Sec. 24-160. - Levy and amount of license fee.

(f) For each bus used exclusively for transportation to and from religious education or religious institution for the purpose of divine worship, the fee shall be twenty-five dollars (\$25.00) on such buses weighing four thousand (4,000) pounds or less, and thirty dollars (\$30.00) for such buses weighing more than four thousand (4,000) pounds.

Section 2:- That Section 25-219 of the Code of the City of Norfolk, 1979, is hereby amended and reordained to read as follows:

Sec. 25-219. - Same - Racing.

Any person who shall engage in a race between two (2) or more motor vehicles on the streets of the city, or upon any driveway or premises of a religious institution, school, recreational facility or business property

open to the public within the city, shall be guilty of reckless driving, unless authorized by the owner of the property or his agent. When any person shall be convicted of reckless driving under this section, then in addition to any other penalties provided by law, the operator's or chauffeur's license of such person shall be suspended by the court or judge for a period of not less than six (6) months nor more than two (2) years. In case of conviction, the court or judge shall order the surrender of the license to the court where it shall be disposed of in accordance with the provisions of section 46.2-398 of the Code of Virginia.

Section 3:- That Section 42-34 of the Code of the City of Norfolk, 1979, is hereby amended and reordained to read as follows:

Sec. 42-34. - Removal of snow from sidewalks
-By owners or occupants of abutting property.

It shall be the duty of every person using or occupying, in any manner or for any purpose whatsoever, any house, store, shop, building or tenement of any kind, and of persons having charge of religious institutions and public buildings of any description, other than public schools and buildings owned or occupied by the city, and of owners of unoccupied houses or unimproved lots, situate on any paved street, lane or alley in the city, within three (3) hours after the fall of any snow has ceased, to remove and clear away, or cause to be removed and cleared away, the snow from the sidewalks fronting such house, store, shop, religious institution, building or lot, in such manner as not to obstruct the passage of the water in the gutters. If snow ceases to fall between the hours of 3:00 p.m. and 7:00 a.m., the removal of the snow before 11:00 a.m. will be deemed compliance with this section.

Section 4:- That Subsection (a) of Section 42-35 of the Code of the City of Norfolk, 1979, is hereby amended and reordained to read as follows:

Sec. 42-35. - Same - By director of public works.

(a) It shall be the duty of the director of public works to cause snow and ice to be removed, by persons employed for cleaning the streets and by additional labor when an emergency shall require it, from the sidewalks or footways across intersecting streets, and to remove ice and other obstructions to the free passage of water at the intersections of the several streets of the city, and to cause snow and ice to be removed from the sidewalks fronting the houses, stores, religious institutions, lots or buildings of such persons as shall neglect or refuse to remove the same as provided in section 42-34, at the expense of such persons, the expense thereof to be certified to the city treasurer for collection.

Section 5:- That this ordinance shall be in effect from and after its adoption.